



Customer No. 26874

PATENT

Atty. Docket No. END5131.0517373

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Jeffrey S. Swayze et al. : Paper No:
Serial No. 10/673,662 : Group Art Unit: 3721
Filed: September 29, 2003 : Examiner: Brian D. Nash
For: SURGICAL STAPLING INSTRUMENT HAVING MULTISTROKE FIRING
INCORPORATING A TRACTION-BIASED RACHETING MECHANISM

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, Applicant herewith submits certain patent references and other information, which the Patent & Trademark Office may wish to consider in examining the above-identified application. The references and information are provided below, and are also listed on the attached Form PTO-1449.

| <u>REFERENCES</u> | <u>ISSUE DATE</u> | <u>INVENTOR</u> |
|-------------------|-------------------|-----------------|
| 6,517,553 | 02-11-2003 | Klein et al. |

Pursuant to the waiver published in the Pre-OG Notice, dated July 11, 2003, no copies are provided herewith of U.S. patents cited. No representation is made or intended that a prior art search has been made or that no better art than the listed is available. It is respectfully requested that the information be considered by the Examiner and made of record in the present application.

The filing fee of \$180 is enclosed. The Commissioner for Patents is authorized to charge any deficiency or credit any overpayment to Frost Brown Todd LLC Deposit Account No. 06-2226.

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Respectfully submitted,

Jeffrey S. Swayze et al.



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CERTIFICATE OF MAILING

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as regular US mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 20th day of July, 2005.



Elizabeth A. Middleton

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

(Use as many sheets as necessary)

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| Application No. | 10/673,662 |
| Filing Date | September 29, 2003 |
| First Named Inventor | SWAYZE, Jeffrey S. et al. |
| Art Unit | 3721 |
| Examiner Name | Brian Nash |
| Attorney Docket No. | END5131-0517373 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner initials | Cite No. | DOCUMENT NUMBER | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|----------------------|-------------|--|-----------|--------------------------------|--|---|
| | | Number-Kind code ² (if known) | | | | |
| | | US- | 6,517,553 | 02-11-2003 | Klein et al. | |
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FOREIGN PATENT DOCUMENTS

| Examiner initials | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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| | | Country Code ³ -Number ⁴ -Kind code ⁵ (if known) | | | | |
| | | | | | | Abstract |
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| Examiner initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ⁶ |
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EXAMINER SIGNATURE _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.